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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/026,289	12/19/2001	Bradley W. Johnson	720.505	8117

21707 7590 12/05/2006

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EXAMINER	
NGUYEN, DAT	
ART UNIT	**PAPER NUMBER**
3714	

DATE MAILED: 12/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/026,289	JOHNSON ET AL.	
	Examiner	Art Unit	
	Dat T. Nguyen	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on *20 June 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *80-100* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) *8-100* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This office action is in response to the amendment filed on June 20, 2006 in which applicant cancels claims 1-79, adds claims 80-100, and responds to claim rejections. Claims 80-100 are pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 80-84, 86-91, and 93-95 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sines et al. (US 6,165,069) in view of Franchi (US 5,770,533), Marnell, II (US 5,259,613) and Vancura (6,517,073).

Sines et al. discloses a gaming table having:

- a gaming surface (Fig. 1 and col. 9, lines 2-12)
- a plurality of game player locations on the gaming table (Fig. 1)
- at least one dealer location on the gaming table adjacent to which a dealer may operate the table game apparatus (Fig. 1)
- a plurality of video displays being generated independent of the table game (col. 17, lines 62-65)

- a video controller in communication with the video controller, whereby the video presentations, the video controller, the video display, and the digital computing unit cooperatively provide the video presentations that are simultaneously viewable by each player among the plurality of game players while at the plurality of game player locations at the gaming table (col. 14, lines 26-67 and col. 15, lines 1-28)
- a player input device disposed on the game surface and in communication with the digital computing unit allowing at least one game player to make a selection from a plurality of game option.
- A player input device is in communication with a machine input device, and the machine input device in communication with a digital computing unit.
- Regarding claims 81 and 82, a supplemental game program loaded into the digital computing apparatus (col. 19, lines 60-62)
- Regarding claim 83 and 90, the player input device is in communication with a machine input device, the machine input device in communication with the digital computing unit.
- Regarding claim 84 and 91, the table input device is disposed on the game surface adjacent the dealer location (Fig 1,2, and 4)

However, Sines et al. is silent regarding remotely generating video presentations utilizing a tuner. Marnell, II discloses the use of televisions with tuners for use in casino display applications in displaying broadcasted programming (abstract, col. 7, lines 53-

61). Sines et al. and Marnell, II are analogous art because they both disclose apparatuses for use in casino entertainment. Therefore, it would have been obvious to include a tuner in the video displays of Sines et al. in order to entertain players and prolong their playing time whereby increasing revenue for casino owners.

Furthermore, Sines et al. is silent regarding the input device for controlling the video presentation. However, the operator of Marnell, II is equipped with a input device adapted to allow the operator to control the display of the remotely generated video presentation on the video display (col. 6, lines 21-67). Therefore it would have been obvious to one of ordinary skill in the art to equip the operator of Sines et al. with an input device adapted to allow the operator to control the display of the video presentation.

3. Regarding claims 86-88 and 93-95, Marnell, II teaches the use of conventional television programming sources such as cable television box. It is notoriously well known in the art that cable television boxes are capable of remotely processing video presentation such as sporting events, live sporting events, or horse races. Therefore, it would be obvious to one of ordinary skill in the art at the time of invention to offer any one of said plurality of video programs to players at the game table in order to offer the player more incentive to continue playing at the table.

Sines et al. further lacks in disclosing the use of a moveable player input device. However, a moveable player input device is taught by Franchi, wherein it is moveable from table to table and commands can be input to the supplemental unit in order to play a game (col. 17, lines 59-67 and col. 18, lines 1-67). It would have been obvious to one

of ordinary skill in the art at the time of invention to modify Sines et al. with the moveable input device of Franchi in order to allow players to make supplemental actions in the game.

4. Sines et al, Franchi, and Marnell, II meet the claimed limitations as discussed above regarding claim 80, however they are fail to disclose the video display being mounted above the gaming table. Vancura discloses a gaming table and system wherein the video display is mounted above the gaming table (Fig. 1). Therefore it would have been obvious to one of ordinary skill at the time of invention to modify Sines et al. by providing the video display taught by Vancura in order to advertise to more people and attract new players in a more efficient manner, and to allow those players already playing to clearly see what is going on in the game and what is important to all of the players through the video display.

5. Regarding the second table of claim 89, examiner believes it would be notoriously obvious to one of ordinary skill in the art to implement multiple tables such as the ones disclosed by the combination of the prior at as discussed above in a single gaming establishment and would therefore constitute as having a first and a second gaming table. As the claim is written, the first and second gaming tables appear to operate independent of one another in an identical manner. The only exception would be the presence of one video hub in communication with a first and second display apparatus. In which case, said hub and video content serving apparatus are disclosed in the video system of Marnell, II. Therefore, it would have been obvious to include a

tuner in the video displays of Sines et al. in order to entertain players and prolong their playing time whereby increasing revenue for casino owners.

6. Regarding claim 97, see discussion regarding claim 81 above.

7. Regarding claim 98, see discussion regarding claim 83 above.

8. Regarding claim 99, see discussion regarding claim 84 above.

9. Regarding claim 100, see discussion regarding claim 86 above.

10. Claims 85 and 92 rejected under 35 U.S.C. 103(a) as being unpatentable over Sines et al., Marnell. II, Franchi, and Vancrua as applied to claim 80 above, and further in view of Knust et al. (US 6,848,994). Sines et al, Marnell II, and Franchi fail to disclose a polling unit. Knust et al. discloses a polling system (Fig. 1, feature 30). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a polling system in the gaming table of Sines et al. in order to allow casino operators the ability to better monitor play and casino tables.

Response to Arguments

Applicant's arguments with respect to claims 1-100 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dat T. Nguyen whose telephone number is 5712722178. The examiner can normally be reached on M-F 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John M. Hotaling can be reached on (571)272-4437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Dat Nguyen

11/30/06

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